

# CORRECTIONS IMPACT STATEMENT

SESSION: 15RS

BILL #: HB 282 Introduced

BR #: 1

DOC ID#: BR000100.100 - 1 - 41

BILL SPONSOR(S): Rep. J. Bell

AMENDMENT SPONSOR(S):

SUBJECT: AN ACT relating to the Department of Corrections' farm operations.

**SUMMARY OF LEGISLATION:** Create a new section of KRS Chapter 193 to expand, to the extent feasible, the Department of Corrections' current Farm Operations Program to all adult correctional facilities operated within the Commonwealth including correctional facilities operated by private contractors; provide definitions for "agriculture," "agricultural commodity," "apiary," "aquaculture," "food bank," "livestock," and "poultry"; require that all food and agricultural products grown or produced under the Farm Operations Program be solely for the consumption or use by inmates housed in facilities operated within the Commonwealth, persons employed by correctional facilities, and any associated staff; require that any surplus of agricultural commodities be donated to food banks or other charitable nonprofit food distribution programs; exempt livestock production, use and sale, domestic and foreign, of cattle and bovine animal products from these requirements; authorize the department to create an outreach program to facilitate the development of farm operations programs for county jails; require the department to promulgate administrative regulations in accordance with KRS Chapter 13A to develop a strategic plan for the implementation of goals, objectives, and program criteria of the Farm Operations Program, identify land and property suitable for development pursuant to this section, provide a plan to increase the use of agricultural commodities in inmate diet, and incorporate and expand the farm programs operated by the department on the effective date of this Act into the Farm Operations Program established by this section; require the department to submit an annual report to the Interim Joint Committee on Judiciary by November 1 of each year that provides information on the status of the program, including progress made in achieving the program's purposes, expenditures and cost savings attributed to the program, and any other information the department can provide to inform the committee of the program's operations.

This  bill  amendment  committee substitute is expected to:

Have the following Corrections impact  Have no Corrections impact

- |   |  |
|---|--|
| <input type="checkbox"/> Creates new crime(s)   | <input type="checkbox"/> Repeals existing crime(s)               |
| <input type="checkbox"/> Increases penalty for existing crime(s)  | <input type="checkbox"/> Decreases penalty for existing crime(s) |
| <input type="checkbox"/> Increases incarceration  | <input type="checkbox"/> Decreases incarceration                 |
| <input type="checkbox"/> Reduces inmate/offender services   | <input type="checkbox"/> Increases inmate/offender services      |
| <input type="checkbox"/> Increases staff time or positions  | <input type="checkbox"/> Reduces staff time or positions         |
| <input type="checkbox"/> Changes elements of offense for existing crime(s)  |  |
| <input checked="" type="checkbox"/> Otherwise impacts incarceration (Explain) <u>Adds jobs and increases opportunities for inmates to acquire life skills</u> |  |

**STATE IMPACT:** Class A, B & C felonies are based on an average daily prison rate of \$60.38. Most Class D felons are housed in one of 79 full service jails for up to 5 years. DOC's cost to incarcerate a felony inmate in a jail is \$32.92 per day (includes jail per diem, medical & central office costs), not including substance abuse treatment. Projections are based on the daily rate x 365 x number of years.

**Projected Impact:**  NONE  MINIMAL  MODERATE  SIGNIFICANT

Potential Cost: Establishes an expanded Farm Operations Program aimed at decreasing operating costs. The provisions of this bill would require a budget increase to hire staff to supervise an inmate workforce and staffing to meet state and federal food safety guidelines. The operation would require processing and storage facilities for meat and plants. The current food service contract utilizes economy of scale cost savings and product offering on a national basis, which would be lost with local production. The Department of Corrections has a number of small scale agriculture and animal husbandry programs. The farm programs have proven to be of benefit to the inmates through the additional jobs that farm operations provide as well as the valuable life skills inmates acquire. The department will utilize the annual reporting mechanism in the bill to analyze operations and facilitate expanding programs as appropriate.

**LOCAL IMPACT:** Local governments are responsible for the cost of incarcerating individuals charged with Class A or B misdemeanors and felony defendants until disposition of the case. While the expense varies by jail, this estimated impact will be based on \$32.25 per day, which equals the per diem and medical that DOC pays jails to house felony offenders.

Creates no new misdemeanor offenses.

**The following offices contributed to this Corrections Impact Statement:**

Dept. of Corrections  Dept. of Kentucky State Police  Administrative Office of the Courts  Parole Board  Other

**NOTE: Consideration should be given to the cumulative impact of all bills that increase the felon population or that impose new obligations on state or local governments.**

**APPROVED BY:**

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Commissioner, Kentucky Department of Corrections

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Date